

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, Plaintiff, vs. VICTOR ALEXANDER RODRIGUEZ DEL GIUDICE, et al., Defendant.	
--	--

4:21CR3036

JOINT MOTION TO CONTINUE

COMES NOW, Plaintiff, the United States of America, along with Defendant Victor Alexander Rodriguez Del Giudice and his counsel moving the court for an order continuing the 9-day jury trial in the above-captioned matter, currently set for Monday, January 23, 2022. In support of said motion, the United States shows the Court as follows:

1. Recently this week, four of the five charged defendants have pleaded guilty. Defendant Rodriguez Del Giudice is still set to proceed to trial on January 23, 2023.
2. The United States and Defendant Victor Alexander Rodriguez Del Giudice are actively engaged in serious plea negotiations in this matter.
3. Counsel for Mr. Rodriguez Del Giudice is currently in Benin, Africa and is set to return to the United States on January 9, 2023. Based on the current time differences and issues with internet access and cellphone communications, counsel for Mr. Rodriguez Del Giudice needs additional time to communicate with both his client and the Government to come to a mutually acceptable resolution.
4. The Government has additionally provided new discovery to defense counsel since Counsel for Mr. Rodriguez Del Giudice has been out of the country and his counsel requires additional time to review those materials before advising his client on the propriety of accepting

any plea offer from the Government. A continuance of this matter would ensure effective representation by allowing counsel for Mr. Rodriguez Del Giudice greater time to complete these tasks.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

6. Counsel has discussed this motion with counsel for Mr. Rodriguez Del Giudice who joins in this motion.

7. According to the Government's review, as of today's date, no time has been used on the speedy trial clock.

8. Pursuant to 18 U.S.C. § 3161(h)(7)(A) the ends of justice would be served by continuing the jury trial and the continuance would outweigh the interest of the public and the defendant's right to a speedy trial. Thus, the time from January 23, 2022 until the continued trial date should be excluded under the Speedy Trial Act.

WHEREFORE, for the reasons set forth herein, the United States respectfully requests this Court to enter an order continuing the jury in the above-captioned matter.

DATED this 5th day of January, 2023.

UNITED STATES OF AMERICA, Plaintiff

STEVEN A. RUSSELL
United States Attorney
District of Nebraska

By: *s/ Tessie L.S. Smith*
TESSIE L.S. SMITH, #25828
Assistant U.S. Attorney
487 Federal Building
100 Centennial Mall North
Lincoln, NE 68508-3865
Tel: (402) 437-5241
Fax: (402) 437-5390